REMARKS

The present invention is directed to a method for determining binder distribution on a sample and to a process for the production of wood strand board. In the claimed method for determining binder distribution, a selected sample is contacted with a transfer medium in a manner such that at least 15% of any binder present on the sample surface is transferred to the transfer medium. The transfer medium is then exposed to ultraviolet radiation to make the binder fluoresce. The visible wave emissions of the fluorescing binder from the transfer medium are imaged onto a camera. The camera image is then converted into an electronic signal which signal is relayed to a means for correlating binder distribution to the electronic signal received. In the claimed process for producing wood strand board, a polyisocyanate is applied to wood strands, the binder distribution on the wood strands is monitored in accordance with the above-described method, the polyisocyanate/wood strand material is formed into the desired shape or form when the binder distribution is within the acceptable range and then cured.

I. Claims 1-11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Kamke et al ("Measurement of Resin and Wax Distribution of Wood Flakes", Forest Products Society, Vol. 46, No. 6, pages 63-68). Applicants respectfully traverse this rejection.

Kamke et al teaches a method for measuring distribution parameters for various resins and waxes on the surface of wood flakes. In this method, a resin or wax is applied to wood strands. "**Flakes** of each treatment and species were observed with the **microscope** under reflected ultraviolet (UV) illumination using a series of excitation and emission filter sets." (at page 64)(emphasis added) One of the problems encountered by Kamke et al was that the resins and waxes were difficult to distinguish from the surface of the wood flakes. This problem was overcome in some cases by using a stain to distinguish the resin from the wood flakes.

The method disclosed by Kamke et al requires microscopic examination of wood flakes to which the binder or resin has been applied.

Kamke et al does not teach or suggest that analysis of a transfer medium containing binder rather than coated flakes could or should be used in the disclosed microscopic method.

Applicants' claimed method does not employ a microscope as required by Kamke et al. Applicants' claimed method does not analyze binder distribution by measuring the actual amount of binder present on wood flake samples as required by Kamke et al.

Kamke et al does not teach or suggest that the disclosed method could be practiced without a microscope. Kamke et al does not teach or suggest that the disclosed method could be successfully conducted by analysis of a binder-containing transfer medium rather than actual wood flakes to which binder has been applied. Indeed, Kamke et al indicates that the method disclosed therein was developed because methods such as those disclosed in the prior art (e.g., Kuo et al's method which used a fluorescence **microscope** and image analysis to measure **individual resin spots** on white filter paper specimens) were not adequate or suitable for a manufacturing environment.

One skilled in the art reading the Kamke et al disclosure would not therefore be guided by the teachings of that reference to Applicants' claimed method which requires no microscope to analyze a transfer material rather than coated wood flakes.

The Kamke et al disclosure does not therefore render Applicants' claimed invention obvious.

Withdrawal of this rejection is therefore requested.

II. Claims 1-11 also stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hunt et al (U.S. Patent 6,867,421) in view of Kamke et al, *supra.* Applicants respectfully traverse this rejection.

Hunt et al discloses an in-line process for monitoring binder dosage and distribution on a surface and apparatus useful for conducting such monitoring.

Hunt et al does not teach or suggest that the disclosed process would be effective for determining binder dosage from a transfer medium containing binder transferred from coated wood strands. Hunt et al is directed to an in-line process, i.e., direct measurement during a production process.

As has already been discussed above, Kamke et al teaches a method which requires microscopic analysis of wood strands to which resin has been applied.

Since Hunt et al and Kamke et al each teach a method which measures binder concentration on wood strands directly, one skilled in the art seeking to measure binder concentration indirectly (i.e., without including wood strands in the material being analyzed) would not be led to Applicants' claimed method which requires analysis of a transfer medium and **not** wood strands.

The combined teachings of Hunt et al and Kamke et al do not therefore render Applicants' claimed invention obvious.

It was stated in the Office Action that transfer of binder from a wood sample onto a transfer medium is known to those skilled in the art.

Applicants would point out, however, that neither Hunt et al nor Kamke et al teaches or suggests that the methods disclosed therein would effectively measure binder distribution when the sample being analyzed is a transfer medium rather than the wood strands taught in those references.

A rejection under 35 U.S.C. §103 must have a factual basis.

Neither Hunt et al nor Kamke et al teaches or suggests that the methods disclosed therein would be effective when the sample being analyzed is not coated wood strands. Further, no reference or authority which teaches that the same method could be used to effectively measure binder dosage on either coated wood strands or a binder-containing transfer medium has been cited.

The teachings of Hunt et al and Kamke et al do not therefore provide the factual basis necessary to support the rejection of Applicants' invention as claimed in Claims 1-11.

Withdrawal of this rejection is therefore respectfully requested.

III. Claims 1, 4 and 9-10 further stand rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over Claim 1 of Hunt et al (U.S. Patent 6,867,421) in view of Kamke et al, *supra.* Applicants respectfully traverse this rejection.

Prior art which fails to teach a key feature of a claimed invention can not render that claimed invention obvious.

As has already been discussed in Section II of this Response, Hunt et al and Kamke et al each teach a method which measures binder concentration on wood strands directly. Neither of these reference teaches or suggests a method for measuring binder concentration indirectly (i.e., without including wood strands in the material being analyzed).

Applicants' claimed method which requires analysis of a transfer medium and **not** wood strands is not therefore rendered obvious by the combined teachings of Hunt et al and Kamke et al.

Withdrawal of this rejection is therefore requested.

In view of the above remarks, reconsideration and allowance of Claims 1-11 are respectfully requested.

Respectfully submitted,

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